

Page 130

1 You were able to stay on task, do Internet research,
2 come up with doctors, contact and make appointments,
3 go there, get treatment, suggest treatments to your
4 doctors. Doesn't that suggest that you were using
5 your cognitive abilities?

6 MR. ROBERTS: Objection. Is this your
7 closing argument for a jury, or are you asking
8 Mr. Jeffries questions?

9 A. And please restate it, I'm sorry.

10 Q. Sure. You have shown an ability to
11 research information concerning your symptoms, come
12 up with possible diagnoses, recommend them to your
13 doctors, find doctors who agreed with those
14 particular diagnoses, put together a booklet of
15 information for your treating doctors, make
16 appointments, go see doctors.

17 A. I don't think that's correct.

18 Q. You didn't put together a booklet of
19 information to give to Dr. McClellan or Dr. Luggen?

20 A. No. I don't think so.

21 Q. Did not?

22 A. I don't think so.

23 Q. Okay.

24 A. What booklet of information? No. I don't

Page 131

1 think so.

2 Q. Did you gather -- well, I don't want to
3 banter words. Did you gather a packet of material
4 or a bunch of material or a folder of material or
5 any group of material that you pulled off --

6 A. I shared some stuff with him on the
7 adverse reaction to the vaccines, yeah. I did. I
8 mean, I remember doing that.

9 Q. Did you create a notebook for it?

10 A. No. Not to my knowledge, no.

11 Q. Did you recommend different diagnoses to
12 them from time to time based upon your research?

13 MR. ROBERTS: Objection. Go ahead.

14 A. I wouldn't say that I recommended a
15 diagnosis. I talked with them about things to, you
16 know, to try to rule out or to figure out -- you
17 know, I wanted to be done with it.

18 Q. Sure.

19 A. It's not something that, I mean, it's --

20 Q. My question is, was that inadvertently
21 using your cognitive ability?

22 MR. ROBERTS: Objection. Go ahead.

23 A. I don't think that, I didn't suggest that
24 I'm brain dead. I mean, and so it's just that it's

Page 132

1 nowhere near the level of where it was prior to this
2 happening.

3 Q. All right. So my question then becomes
4 is, what's left, in your opinion --

5 A. I --

6 Q. Let me finish the question, okay? That
7 way we'll know what you're answering.

8 Is what's left sufficient to perform your
9 job?

10 A. I don't think so. I don't think that the
11 physicians that were, or the people that are -- do
12 that testing on that side, they would also agree
13 that it's not.

14 Q. Okay. What else besides the cognitive
15 deficit prohibits you from performing your job
16 today?

17 A. On a, on a consistent basis, that's the
18 biggest thing is that if the illness gets in a
19 period where it's particularly active, where the
20 fatigue is, is, is, you know, extraordinary, then
21 that is certainly something that would preclude me
22 from, from my job.

23 Q. For how long?

24 A. For how long what?

Page 133

1 Q. For how long do these bouts that you're
2 describing last?

3 A. It depends if -- it depends. If I, if I
4 don't allow my body to recover or recuperate, you
5 know, I could just compound the problem. But if I
6 go, if I do something to expend enough energy to,
7 you know, to create, you know, fatigue to -- I just
8 have learned to take it easy until the body catches
9 up with it.

10 Q. What would you -- what kind of activities
11 do you perform that would require you then to, as
12 you describe it, take it easy till your body caught
13 up? What do you do that expends any energy?

14 A. I just, just trying to think. Spend time
15 doing things with my kids or an activity with them.
16 Or I -- oh. You know, that kind of thing. Where if
17 I do something, which I can actually do things and
18 run and expend considerable amount of energy, that
19 I'm borrowing from tomorrow, basically, is a better
20 way to put it. But just different. I mean, there's
21 just different, different things. I don't know.
22 Nothing comes to mind.

23 Q. Okay. When was the last time that you
24 borrowed from the next day's energy such that you

Page 134

1 did something one day and then had to recover for
2 the next day or so?

3 A. Oh. I would say this past weekend, I
4 spent time with my kids.

5 Q. Doing what?

6 A. Went to soccer games with them and I went
7 to, they were with their carts, their go-carts on
8 Sunday. And then on -- what's today? Today is
9 Wednesday.

10 Q. Mm-hmm.

11 A. You know, I mean it's just -- Monday, you
12 know, I just, I do a few things, I lay down, I have
13 to lay down for a while. You know, I get up. I do
14 things. I just have to -- that's kind of just
15 getting the batteries recharged.

16 Q. When you said you went with the kids in
17 their go-carts Sunday, where did you go?

18 A. I went to, there's a place -- it was, it
19 was Circleville. It's by Washington Courthouse.

20 Q. Up 71?

21 A. Yeah.

22 Q. Are these motorized go-carts?

23 A. They are. Little kids carts that they run
24 around the track with other kids.

Page 135

1 Q. So these are actual motor vehicles --

2 A. Yeah.

3 Q. -- as opposed to --

4 Okay. And you would go help them pack up
5 these things on a trailer or something and take them
6 up there and watch them drive and then take them
7 home.

8 A. Yeah.

9 Q. Okay.

10 A. Let's see. I don't know. But that's the
11 kind of activity that would cause -- and then let me
12 tell you what, sometimes you could do stuff like
13 that without much of an impact whatsoever, without
14 any material or significant fatigue as a result of
15 it. And other times you have a period where you
16 couldn't even do those because it's just you don't
17 want to, you know. It's just -- you learn to, that
18 you just sort of manage the -- I mean, it's the
19 thing that I've learned about it is to manage your
20 body to the extent it's, you know, it's --

21 Q. Other than the last two visits to
22 Dr. McClellan for treatment, who else have you
23 received treatment from in the past 18 months or so?

24 A. The Dr. Pretorius.

Page 136

1 Q. We don't want to get into him because you
2 said that was privileged.

3 A. But he prescribed a medicine.

4 Q. Okay.

5 A. So I think that's the only thing.

6 Q. What did he prescribe?

7 A. I don't know what it's called.

8 Q. Are you taking it?

9 A. I have. Yeah.

10 Q. Hmm?

11 A. Yes. I've been taking it. It's some, I
12 don't know the name of it. It's some type of blood
13 pressure medicine. So I don't, have no -- some
14 blood pressure medicine of some sort. I don't know
15 the name of it. And he gave me a sample thing,
16 prescription for it, and the sample things got
17 thrown out so I filled the prescription.

18 Q. Well, it makes it a good question, are you
19 on, other than the thyroid medicine, are you on any
20 other kind of medication right now?

21 A. I take a medicine called Neurontin.

22 Q. Mm-hmm.

23 A. Which is something that Drs. McClellan and
24 Poser recommended.

Page 137

1 Q. Okay. How did you end up getting to
2 Dr. Poser?

3 A. I was referred by somebody I think. I
4 don't know who.

5 Q. One of your treaters or the Internet?

6 MR. ROBERTS: Objection. Go ahead.

7 A. I don't know. I think maybe Dr. Hyde.

8 Q. Dr. Hyde?

9 A. Maybe, I don't know. That comes to mind
10 but it may not be correct. So maybe I just
11 shouldn't say it.

12 Q. Okay. If you're not sure that's all
13 right.

14 Are you on any other meds besides the
15 thyroid med, Neurontin, and whatever this is that
16 Dr. Pretorius gave you?

17 A. No.

18 Q. Who else have you seen for treatment in
19 the last 18 months?

20 A. I think that's it. I can't think of
21 anybody else.

22 Q. Have you been back to see Dr. Luggen?

23 A. No.

24 Q. Dr. Dunn?

Jeffries vs. Centre Life Ins. Co., et al.
September 10, 2003

ERIC L. JEFFRIES

Page 114

Page 116

1 A. I don't think there were any symptoms that
2 required it. It was, I think there was the fellow
3 that you had said that I was mentally disor- -- had
4 a mental disorder or what have you. And it was a --
5 having him evaluate me to make an opinion of that.
6 **Q. So this wasn't a referral for treatment by**
7 **Dr. McClellan, it was a referral for a second**
8 **opinion?**
9 MR. ROBERTS: Objection.
10 **Q. Or a review of Dr. Hartings' work; is that**
11 **right?**
12 A. I think you have a copy of his opinion. I
13 think it outlines what he -- the object was.
14 **Q. My interest is how you got to him.**
15 A. Through Mc- -- McClellan is the fellow
16 that referred me to him.
17 **Q. And how about Dr. Pretorius? How did you**
18 **get to him?**
19 A. Again, it was a referral.
20 MR. ROBERTS: Objection. If this requires
21 you to disclose attorney-client privilege.
22 A. Which it is, I suppose. So I'll leave it
23 at that.
24 **Q. That pretty much answers my question on**

1 **Q. Okay.**
2 A. Let's see. I'm just trying to think.
3 Where did you -- what names of places did you list?
4 **Q. Well, we know that you've been to --**
5 A. I went to see my family in Missouri. My
6 grandmother was ill. I went to see her.
7 **Q. Where in Missouri?**
8 A. Kansas City area. Let's see. Went to
9 Colorado once.
10 **Q. Okay. Where in Colorado?**
11 A. Aspen.
12 **Q. Is that vacation or treatment?**
13 A. No, it was vacation. That was a couple
14 years ago.
15 **Q. Skiing vacation?**
16 A. No. No. I don't ski anymore. Went to
17 Wisconsin. We have, we went to Wisconsin to see
18 Waisbren, haven't we?
19 **Q. Sure, Milwaukee.**
20 A. Yeah. I saw him at the --
21 **Q. Did you go elsewhere in Wisconsin?**
22 A. I went to Wisconsin with my, with my kids
23 again, my family. And --
24 **Q. Just a vacation trip there?**

Page 115

Page 117

1 that. Thank you.
2 **In addition to your trips to Europe and**
3 **your two months in California, and your trips to**
4 **Alabama, Oklahoma and Texas, where else have you**
5 **traveled in the past three or four years since you**
6 **quit work?**
7 A. I went to Kentucky with my family, oh, a
8 month or so ago I guess. And --
9 **Q. Whereabouts in Kentucky?**
10 A. Southern Kentucky or Lake Cumberland area.
11 I went to -- oh, my goodness. Let's see. I'm
12 trying to think of where else I've been. I went to
13 Florida with my family.
14 **Q. Whereabouts?**
15 A. Daytona. That was done --
16 **Q. Just out of curiosity, because Daytona is**
17 **famous for a raceway, was it for the raceway or for**
18 **just something else in Daytona?**
19 A. No, it was racing related. It was, one of
20 my kids was in a race there, a go-cart race.
21 **Q. Pretty far to go for a go-cart race, isn't**
22 **it?**
23 A. Well, you know, you support your children.
24 You don't have a --

1 A. Yeah. I went to Michigan, too, on a
2 vacation a year ago, I think, or two years ago. Or
3 I don't remember when.
4 **Q. Where do you go in Michigan?**
5 A. It was around Leeland area. Which is like
6 northern Michigan, something like that.
7 **Q. Is that with other people or just your**
8 **family?**
9 A. It was with extended family.
10 **Q. Okay. Anywhere else out west other than**
11 **California?**
12 A. No. Not that I can think of.
13 **Q. Arizona?**
14 A. No. I don't remember that.
15 **Q. Okay.**
16 A. That's all I can remember at the moment.
17 **Q. How many trips around here? The**
18 **Cumberland, Lake Cumberland, Michigan, places like**
19 **that, were they car trips or did you fly?**
20 A. Car trips.
21 **Q. Have you been back to New York?**
22 A. Have I been back to New York?
23 **Q. Since you stopped work.**
24 A. I don't think so. Maybe I have. I don't